

UNITED STATES DISTRICT COURT

for the
Eastern District of Missouri

IN THE MATTER OF THE SEARCH OF INFORMATION) 4:21 MJ 3131 NCC
ASSOCIATED WITH FACEBOOK USER ID **Ryda Rb** THAT)
IS STORED AT PREMISES CONTROLLED BY FACEBOOK,) **FILED UNDER SEAL**
INC. (See Attachment A.)

SIGNED AND SUBMITTED TO THE COURT FOR FILING BY
RELIABLE ELECTRONIC MEANS

APPLICATION FOR A SEARCH WARRANT

I, ATF Agent Riley O'Brien, a federal law enforcement officer or an attorney for the government request
a search warrant and state under penalty of perjury that I have reason to believe that on the following property:

See Attachment A

located in the Northern District of California, there is now concealed

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (*check one or more*):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

| Code Section | | Offense Description |
|--------------|-----------|----------------------------------|
| Title | Section | |
| 18 | 922(g)(1) | Felon in possession of a firearm |
| 18 | 922(g)(3) | User in possession of a firearm |

The application is based on these facts:

SEE ATTACHED AFFIDAVIT WHICH IS INCORPORATED HEREIN BY REFERENCE.

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is
requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

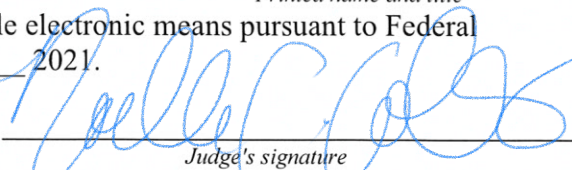
I state under the penalty of perjury that the foregoing is true and correct.



Applicant's signature
SA Riley O'Brien, ATF
Printed name and title

Sworn to, attested to, or affirmed before me via reliable electronic means pursuant to Federal
Rules of Criminal Procedure 4.1 and 41 on May _____ 2021.

Date: May 28, 2021



Judge's signature

City and State: St. Louis, MO

Honorable Noelle C. Collins, U.S. Magistrate Judge

Printed name and title

SAUSA: Daniel James

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

IN THE MATTER OF THE SEARCH OF
INFORMATION ASSOCIATED WITH
FACEBOOK USER ID **Ryda Rb** THAT IS
STORED AT PREMISES CONTROLLED
BY FACEBOOK, INC.

) SIGNED AND SUBMITTED TO THE COURT
) FOR FILING BY RELIABLE ELECTRONIC
) MEANS
)
) 4:21 MJ 3131 NCC
) **FILED UNDER SEAL**
)

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, ATF Agent Riley O'Brien, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for a search warrant pursuant to 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) and Federal Criminal Procedure 41 for information associated with a certain Facebook user ID that is stored at premises owned, maintained, controlled, or operated by Facebook Inc. ("Facebook"), a social networking company headquartered in Menlo Park, California. The information to be searched is described in the following paragraphs and in Attachment A. The requested warrant would require Facebook to disclose to the United States records and other information in its possession, pertaining to the subscriber or customer associated with the user ID as further described in attachment A.

2. Specifically, this affidavit supports an application to search the following Facebook account associated with Robert SIMMONS: https://www.facebook.com/profile.php?id=100032343791936&sk=about_overview, Facebook Account Ryda Rb ("**Target Account**," more particularly described in Attachment A).

3. I, Riley O' Brien, am a Special Agent ("SA") with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF") and have been so employed since March of 2015. Before joining ATF, I graduated from the Illinois State Police Academy and was employed as a Police Officer for the Jacksonville Police Department in Jacksonville, Illinois for approximately five years. I am a graduate of the Federal Law Enforcement Training Center's Criminal Investigator's Training Program and the ATF National Academy's Special Agent Basic Training Program. I was assigned to ATF Nashville Group V Field Office from 2015 to 2019 and am now currently assigned to the ATF St. Louis Field Office. As an ATF Special Agent, I have received formal and informal training in federal firearms and drug laws. I have written affidavits for search warrants and complaints that have yielded evidence of state and federal criminal violations. Pursuant to 18 U.S.C. § 3051, I am empowered to enforce criminal laws of the United States.

4. During a variety of investigations, I have become very familiar with Facebook and other social media sites. I have examined social media profile pages during these investigations, and I have learned that persons involved in the possession of firearms and in the possession and distribution of controlled substances often use social media sites to document their criminal activities. Based upon my training, experience, and communications with other law enforcement officers, I have learned how to locate persons engaged in illicit possession of firearms and possession and distribution of controlled substances who use social media sites to document their criminal activities.

5. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents, investigators, and witnesses. Because this affidavit is made for the limited purpose of obtaining a search warrant for the **Target**

Account, it does not contain all of the information known by me or other federal agents regarding this investigation, but only contains those facts believed to be necessary to establish probable cause. Any dates and times in this affidavit are approximate.

6. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of 18 U.S.C. § 922(g)(1) (felon in possession of a firearm) and 18 U.S.C. § 922(g)(3) (user in possession of a firearm) (“Subject Offenses”) have been committed by Robert SIMMONS, a prior convicted felon. There is also probable cause to search the account described in Attachment A for evidence of these crimes and contraband or fruits of these crimes, as described in Attachment B.

JURISDICTION

7. This Court has jurisdiction to issue the requested warrant because it is “a court of competent jurisdiction” as defined by 18 U.S.C. § 2711. 18 U.S.C. §§ 2703(a), (b)(1)(A) & (c)(1)(A). Specifically, the Court is a district court of the United States that has jurisdiction over the offense being investigated. 18 U.S.C. § 2711(3)(A)(i).

LOCATION TO BE SEARCHED

8. The location to be searched is https://www.facebook.com/profile.php?id=100032343791936&sk=about_overview, Facebook Account **Ryda Rb** (hereinafter referred to as the “**Target Account**”), located at 1601 Willow Road, Menlo Park, CA 94025, further described in Attachment A. The items to be reviewed and seized by the United States are described in Part II of Attachment B.

BACKGROUND RELATING TO FACEBOOK

9. The Internet is in part a computer communications network using interstate and foreign telephone and communication lines to transmit data streams, including data streams used to provide a means of communication from one computer to another and used to store, transfer and receive data and image files.

10. An “Internet Protocol” (IP) address is a unique series of numbers, separated by a period, that identifies each computer using, or connected to, the Internet over a network. An IP address permits a computer (or other digital device) to communicate with other devices via the Internet. The IP addresses aids in identifying the location of digital devices that are connected to the Internet so that they can be differentiated from other devices. As a mailing address allows a sender to mail a letter, a remote computer uses an IP address to communicate with other computers.

11. An “Internet Service Provider” (ISP) is an entity that provides access to the Internet to its subscribers.

12. The term “remote computing service” means the provision to the public of computer storage or processing services by means of an electronic communications system.

13. Facebook is a business and company that operates as a remote computing service, a provider of electronic communications services through ISPs. Facebook owns and operates a free-access social networking website of the same name that can be accessed at <http://www.facebook.com>. Facebook allows its users to establish accounts with Facebook, and users can then use their accounts to share written news, photographs, videos, and other information with other Facebook users, and sometimes with the general public.

14. Facebook asks users to provide basic contact and personal identifying information to Facebook, either during the registration process or thereafter. This information may include the user's full name, birth date, gender, contact e-mail addresses, Facebook passwords, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers. Facebook also assigns a user identification number to each account.

15. Facebook users may join one or more groups or networks to connect and interact with other users who are members of the same group or network. Membership in the group is monitored and regulated by the administrator or head of the group, who can invite new members and reject or accept requests by users to enter. Facebook can identify all users who are currently registered to a particular group and can identify the administrator and creator of the group. Facebook uses the term "Group Contact Info" to describe the contact information for the group's creator and administrator, as well as the current status of the group profile page.

16. A Facebook user can also connect directly with individual Facebook users by sending each user a "Friend Request." If the recipient of a "Friend Request" accepts the request, then the two users will become "Friends" for purposes of Facebook and can exchange communications or view information about each other. Each Facebook user's account includes a list of that user's "Friends" and a "News Feed," which highlights information about the user's "Friends," such as profile changes, upcoming events, and birthdays.

17. Facebook users can select different levels of privacy for the communications and information associated with their Facebook accounts. By adjusting these privacy settings, a Facebook user can make information available only to himself or herself, to particular Facebook users, or to anyone with access to the Internet, including people who are not Facebook users. A Facebook user can also create "lists" of Facebook friends to facilitate the application of these

privacy settings. Depending on the user's privacy settings, Facebook may also obtain and store the physical location of the user's device(s) as they interact with the Facebook service on those device(s). Facebook accounts also include other account settings that users can adjust to control, for example, the types of notifications they receive from Facebook.

18. Facebook users can create profiles that include photographs, lists of personal interests, and other information. Facebook users can also post "status" updates about their whereabouts and actions, as well as links to videos, photographs, articles, and other items available elsewhere on the Internet. Facebook users can also post information about upcoming "events," such as social occasions, by listing the event's time, location, host, and guest list. In addition, Facebook users can "check in" to particular locations or add their geographic locations to their Facebook posts, thereby revealing their geographic locations at particular dates and times. A particular user's profile page also includes a "Wall," which is a space where the user and his or her "Friends" can post messages, attachments, and links that will typically be visible to anyone who can view the user's profile.

19. Facebook allows users to upload photos and videos, which may include any metadata such as location that the user transmitted when s/he uploaded the photo or video. It also provides users the ability to "tag" (*i.e.*, label) other Facebook users in a photo or video. When a user is tagged in a photo or video, he or she receives a notification of the tag and a link to see the photo or video. For Facebook's purposes, the photos and videos associated with a user's account will include all photos and videos uploaded by that user that have not been deleted, as well as all photos and videos uploaded by any user that have that user tagged in them. Facebook users can exchange private messages on Facebook with other users. Those messages are stored by Facebook unless deleted by the user. Facebook users can also post comments on

the Facebook profiles of other users or on their own profiles; such comments are typically associated with a specific posting or item on the profile. Facebook allows users to edit or delete comments on their own profile pages, and users can adjust their profile settings to allow them to pre-approve comments on their own profile pages.

20. In addition, Facebook has a chat feature that allows users to send and receive instant messages through Facebook Messenger. These chat communications are stored in the chat history for the account. Facebook also has Video and Voice Calling features, and although Facebook does not record the calls themselves, it does keep records of the date of each call.

21. If a Facebook user does not want to interact with another user on Facebook, the first user can “block” the second user from seeing his or her account.

22. Facebook has a “like” feature that allows users to give positive feedback or connect to particular pages. Facebook users can “like” Facebook posts or updates, as well as webpages or content on third-party (*i.e.*, non-Facebook) websites. Facebook users can also become “fans” of particular Facebook pages.

23. Facebook has a search function that enables its users to search Facebook for keywords, usernames, or pages, among other things.

24. Each Facebook account has an activity log, which is a list of the user’s posts and other Facebook activities from the inception of the account to the present. The activity log includes stories and photos that the user has been tagged in, as well as connections made through the account, such as “liking” a Facebook page or adding someone as a friend. The activity log is visible to the user but cannot be viewed by people who visit the user’s Facebook page.

25. Facebook also has a Marketplace feature, which allows users to post free classified ads. Users can post items for sale, housing, jobs, and other items on the Marketplace.

26. In addition to the applications described above, Facebook also provides its users with access to thousands of other applications (“apps”) on the Facebook platform. When a Facebook user accesses or uses one of these applications, an update about that the user’s access or use of that application may appear on the user’s profile page.

27. Facebook also retains Internet Protocol (“IP”) logs for a given user ID or IP address. These logs may contain information about the actions taken by the user ID or IP address on Facebook, including information about the type of action, the date and time of the action, and the user ID and IP address associated with the action. For example, if a user views a Facebook profile, that user’s IP log would reflect the fact that the user viewed the profile, and would show when and from what IP address the user did so.

28. Social networking providers like Facebook typically retain additional information about their users’ accounts, such as information about the length of service (including start date), the types of service utilized, and the means and source of any payments associated with the service (including any credit card or bank account number). In some cases, Facebook users may communicate directly with Facebook about issues relating to their accounts, such as technical problems, billing inquiries, or complaints from other users. Social networking providers like Facebook typically retain records about such communications, including records of contacts between the user and the provider’s support services, as well as records of any actions taken by the provider or user as a result of the communications. When a given Facebook account is deleted, Facebook retains certain information relating to that account for some period of time, including user identity information, IP logs, and other data. Even if a given user deletes data, Facebook stores such data for extended periods of time on Facebook’s servers.

29. Messages, photos, audio videos, and other records stored on Facebook server by a subscriber may not necessarily be located in the subscriber's home/work computer. The subscriber or user may store data on Facebook servers for which there is insufficient storage space in the subscriber's computer and/or which he/she does not wish to maintain in the computer at his/her residence or employment. A search of the files in the computer at the subscriber's residence or place of employment will not necessarily uncover the files that the subscriber has stored on the Facebook server. Therefore, the computers of Facebook are likely to contain all the material just described, including stored electronic communications and information concerning subscribers and their use of Facebook, such as account access information, transaction information, and account application.

30. By their very nature, websites, social networking accounts, and internet-based applications described herein are kept and stored in computers and electronic-memory devices by the host companies, in addition to or in lieu of hard-copy versions of this data. Because such evidence is stored electronically, the data and evidence of the crimes described herein may be stored and be present for long periods of time.

31. Therefore, the computers of Facebook are likely to contain all the material described above, including stored electronic communications and information concerning subscribers and their use of Facebook, such as account access information, transaction information, and other account information.

32. As explained herein, information stored in connection with a Facebook account may provide crucial evidence of the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, a

Facebook user's IP log, stored electronic communications, and other data retained by Facebook, can indicate who has used or controlled the Facebook account. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, profile contact information, private messaging logs, status updates, and tagged photos (and the data associated with the foregoing, such as date and time) may be evidence of who used or controlled the Facebook account at a relevant time. Further, Facebook account activity can show how and when the account was accessed or used. For example, as described herein, Facebook logs the Internet Protocol (IP) addresses from which users access their accounts along with the time and date. By determining the physical location associated with the logged IP addresses, investigators can understand the chronological and geographic context of the account access and use relating to the crime under investigation. Such information allows investigators to understand the geographic and chronological context of Facebook access, use, and events relating to the crime under investigation. Additionally, Facebook builds geo-location into some of its services. Geo-location allows, for example, users to "tag" their location in posts and Facebook "friends" to locate each other. This geographic and timeline information may tend to either inculcate or exculpate the Facebook account owner. Last, Facebook account activity may provide relevant insight into the Facebook account owner's state of mind as it relates to the offense under investigation. For example, information on the Facebook account may indicate the owner's motive and intent to commit a crime (e.g., information indicating a plan to commit a crime), or consciousness of guilt (e.g., deleting account information in an effort to conceal evidence from law enforcement).

33. Therefore, the computers of Facebook are likely to contain all the material described above, including stored electronic communications and information concerning

subscribers and their use of Facebook, such as account access information, transaction information, and other account information.

PROBABLE CAUSE

Association of Target Account to SIMMONS

34. On or about May 5, 2021 (and since then), through a public search, agents viewed the **Target Account**. Agents specifically viewed photographs, videos, and posts from the **Target Account**.

35. The agents reviewed and compared Missouri driver's license records and police records to photographs and videos on the **Target Account**. In doing so, agents identified the subject associated with **Target Account** as SIMMONS.

Target Account and Subject Offenses

36. Since May 5, 2021, agents viewed the **Target Account** and found videos dating back as far back as August of 2020 indicating that SIMMONS is involved in the Subject Offenses. Specifically, videos include, but may not be limited to, the following:

a. On or about August 25, 2020, SIMMONS is observed in a video posted on the **target account** in possession of an AK style firearm and a large sum of money while smoking a cigar. In reviewing the video and through my training and experience, the firearm which SIMMONS picks up repeatedly contains a magazine loaded with ammunition consistent with that of a rifle. Additionally, the manner in which SIMMONS is smoking cigar in the video is consistent with the use of marijuana. *See Exhibit 1, attached.*

b. On or about January 6, 2021, SIMMONS is observed in a video posted on the **target account**. In reviewing, SIMMONS, by himself at the time, opens the driver's side of his vehicle and shows the viewers a firearm next to a black/red hat, wedged between the driver and front seat passenger seat. The firearm contains a magazine and appears to be the same

firearm mentioned in paragraph (a) of this affidavit. SIMMONS then pans the camera down to the driver's side rear passenger floorboard where viewers can see an AR style firearm with containing a magazine. SIMMONS also tells viewers to contact him if they want to smoke with him, language commonly used by marijuana users. SIMMONS leaves in the vehicle with at least two other unknown subjects. While in the vehicle, SIMMONS handles the firearm previously wedged between the front seats. Viewers can see SIMMONS smoking a loosely wrapped cigar, consistent with marijuana use and commonly referred to as a "blunt". SIMMONS smokes the cigar a few times before passing to one of the other occupants. SIMMONS then displays a magazine loaded with several rounds consistent with rifle ammunition. One of the other occupants passes SIMMONS the cigar, which SIMMONS smokes as the video ends. *See Exhibit 2, attached.*

c. On or about January 10, 2021, SIMMONS is observed in a video posted on the **target account**. SIMMONS is in possession of a black AR style rifle. SIMMONS shows viewers the rifle and then removes a loaded rifle magazine from a bag slung around his shoulder. SIMMONS also removes a magazine holster from his left side containing a magazine loaded with pistol ammunition. SIMMONS is wearing a black/red hat identical to the hat observed in the video he recorded on January 6, 2021. SIMMOMNS tells one of the viewers that he left his "rellos" in the viewers car and that he "can't even smoke". "Rellos" is language used by marijuana users for cigars or Cigarellos that users will empty the tobacco contents and fill with marijuana before smoking it. *See Exhibit 3, attached.*

d. On January 16, 2021, SIMMONS is observed in a video posted on the **target account** with another unknown male. Both are looking into the camera while the unknown male is pointing a pistol at the camera. *See Exhibit 4, attached.*

e. On January 29, 2021, SIMMONS is observed in a video posted on the **target account** with an unknown male sitting on a bed in a residence. The unknown male picks up a black AR rifle that was sitting on the bed to show viewers. The unknown male fills a cigar

wrapper with a substance, lights it, smokes it, and passes it to SIMMONS who also smokes it. This behavior is consistent with the use of marijuana like actions shown by SIMMONS in previous paragraphs of this affidavit. *See Exhibit 5, attached.*

f. On March 13, 2021, SIMMONS is observed in a video posted on the **target account** with his family in a restaurant. SIMMONS shows viewers the members of his family at the table then pans the camera to his waistband and tells viewers “and I got that mother fucker on me”. Through training and experience and prior videos posted to the **target account** by SIMMONS, the actions and language in this video by SIMMONS refer to a pistol he has concealed in his waistband. *See Exhibit 6, attached.*

37. In sum, in each of the Facebook postings/videos (Attachment C), there is probable cause to believe SIMMONS appears to be engaging in the Subject Offenses and/or demonstrating his involvement in the Subject Offenses. Specifically, there is probable cause to believe SIMMONS is using the **Target Account** to, among other things, show viewers his engagement in unlawfully possessing firearms. Additionally, there is also probable cause to believe that SIMMONS is demonstrating his use of marijuana while illegally possessing firearms. The presence of large amounts of currency, narcotics, and firearms shows that the **Target Account** is being used as an instrument to display crimes and that the **Target Account** will contain evidence of SIMMONS's crimes.

38. The **Target Account** appears to still be active.

39. Furthermore, on May 5, 2021, a preservation request was sent to Facebook.

40. As such, Facebook should still have records containing evidence of the Subject Offenses.

41. Because the records above demonstrate that SIMMONS has been using the **Target Account** to engage in the Subject Offenses since August of 2020, I am requesting records from August 25, 2020, to March 13, 2021.

INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

42. I anticipate executing this warrant under the Electronic Communications Privacy Act, in particular 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A), by using the warrant to require Facebook to disclose to the government copies of the records and other information (including the content of communications) particularly described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

43. I anticipate executing this warrant under the Electronic Communications Privacy Act, in particular 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A), by using the warrant to require Facebook to disclose to the United States copies of the records and other information (including the content of communications) particularly described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, United States-authorized persons will review that information to locate the items described in Section II of Attachment B.

CONCLUSION

44. Based on the forgoing, I request that the Court issue the proposed search warrant. Because the warrant will be served on Facebook, who will then compile the requested records at a time convenient to it, reasonable cause exists to permit the execution of the requested warrant at any time in the day or night.

45. Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

46. I further request that the Court order that all papers in support of this application, including the affidavit and warrant, be sealed until further order of the Court. These documents

tamper with evidence, change patterns of behavior, notify confederates, or otherwise seriously jeopardize the investigation.

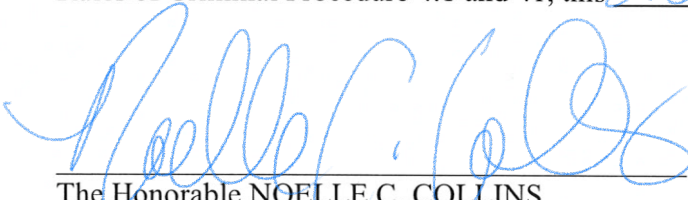
I state under the penalty of perjury that the foregoing is true and correct.

Respectfully submitted,



Riley O'Brien
Special Agent
Bureau of Alcohol, Tobacco, Firearms, and
Explosives

Sworn to, attested to, and affirmed before me via reliable electronic means pursuant to Federal Rules of Criminal Procedure 4.1 and 41, this 28th day of May, 2021.



The Honorable NOELLE C. COLLINS
UNITED STATES MAGISTRATE JUDGE

Exhibit 1

AUGUST 25, 2020

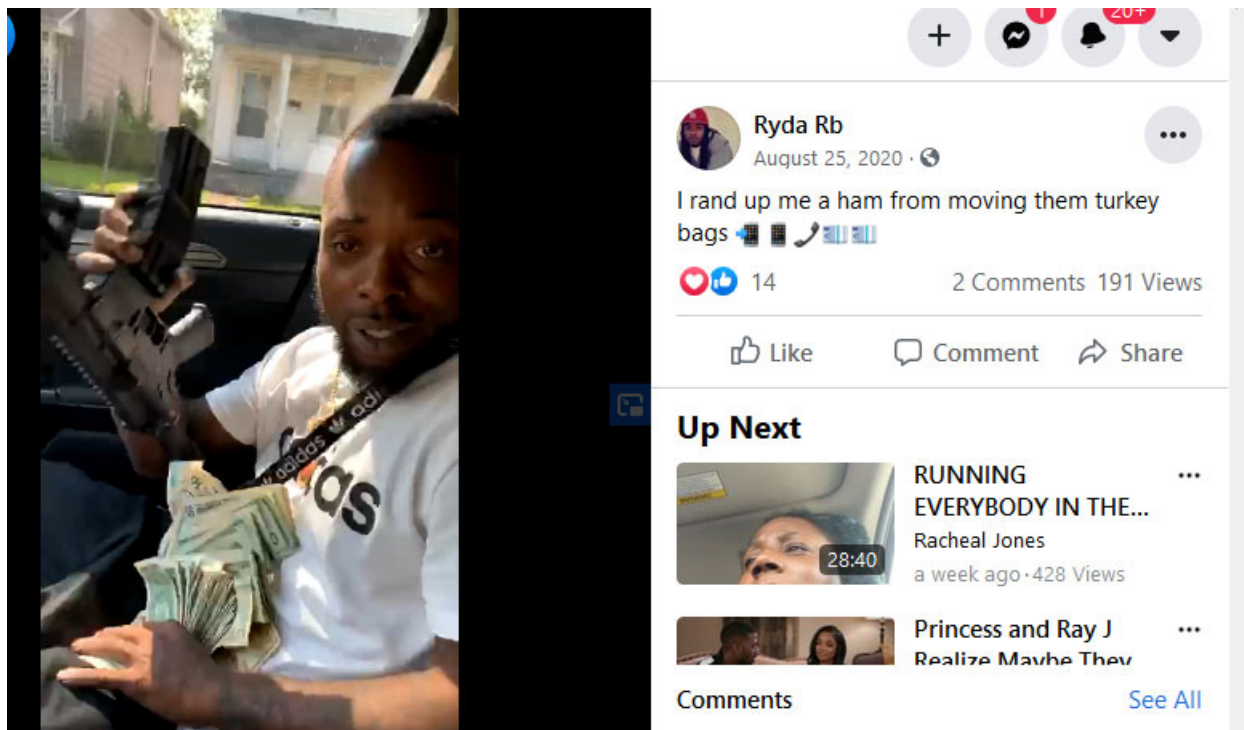


Exhibit 2

JANUARY 6, 2021



Exhibit 2 Continued



Exhibit 3

JANUARY 10, 2021

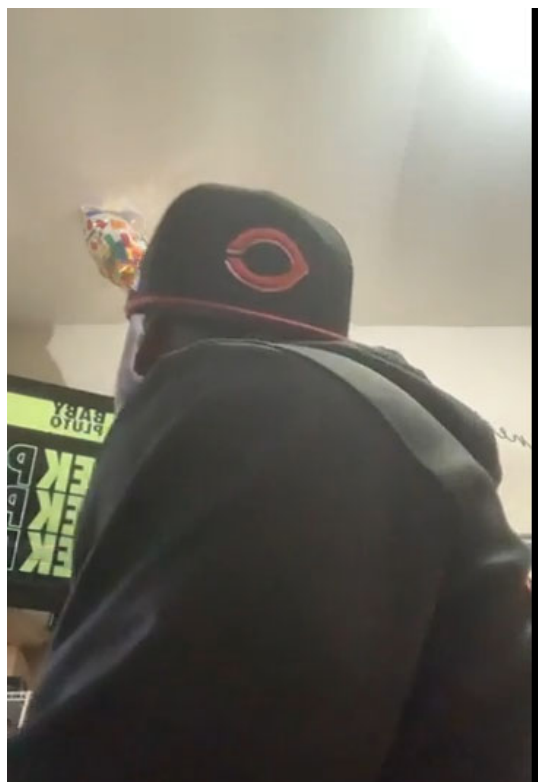
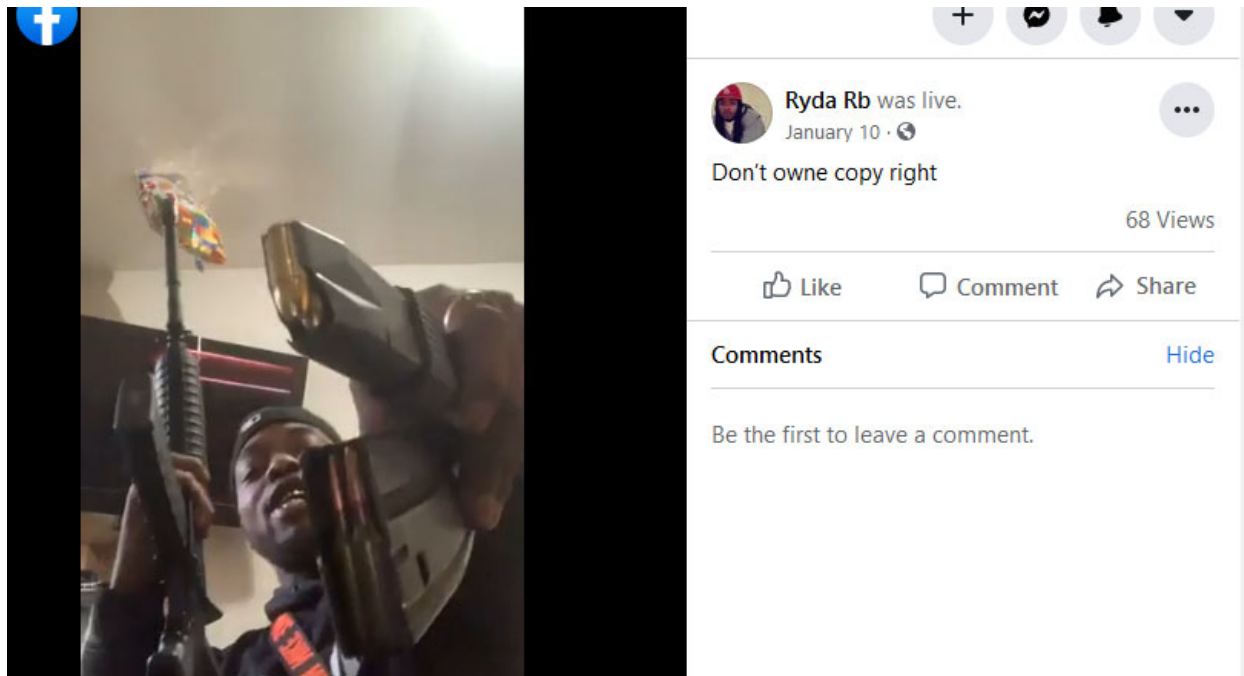


Exhibit 4

JANUARY 16, 2021



Exhibit 5

JANUARY 29, 2021



Exhibit 6

MARCH 13, 2021



ATTACHMENT A

This warrant applies to information found in the following Facebook account associated with Robert SIMMONS:

https://www.facebook.com/profile.php?id=100032343791936&sk=about_overview,

Facebook Account (“**Target Account**”); that is stored at premises owned, maintained, controlled, or operated by **Facebook LLC, Security Department- Custodian of Records, Facebook located at 1601 Willow Road, Menlo Park, CA 94025.**

ATTACHMENT B

Particular Things to be Seized

I. Information to be disclosed by Facebook

To the extent that the information described in Attachment A is within the possession, custody, or control of Facebook Inc. (“Facebook”), regardless of whether such information is located within or outside of the United States, including any messages, records, files, logs, or information that have been deleted but are still available to Facebook, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f),

Facebook is required to disclose, from August 25, 2020 to March 13, 2021, the following information to the government for the account(s) and user ID(s) listed in Attachment A:

- (a) All contact and personal identifying information, including full name, user identification number, birth date, gender, contact e-mail addresses, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers;
- (b) All profile information; News Feed information; status updates; videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends’ Facebook user identification numbers; groups and networks of which the user is a member, including the groups’ Facebook group identification numbers; future and past event postings; rejected “Friend” requests; comments; gifts; pokes; tags; and information about the user’s access and use of Facebook applications;
- (c) All records or other information regarding the devices and internet browsers associated with, or used in connection with, that account and user ID, including

the hardware model, operating system version, unique device identifiers, mobile network information, and user agent string;

- (d) All “check ins” and other location information;
- (e) All IP logs, including all records of the IP addresses that logged into the account;
- (f) All records of the account’s usage of the “Like” feature, including all Facebook posts and all non-Facebook webpages and content that the user has “liked”;
- (g) All information about the Facebook pages that the account is or was a “fan” of;
- (h) All past and present lists of friends created by the account;
- (i) All information about the user’s access and use of Facebook Marketplace;
- (j) The types of service utilized by the user;
- (k) The length of service (including start date) and the means and source of any payments associated with the service (including any credit card or bank account number);
- (l) All privacy settings and other account settings, including privacy settings for individual Facebook posts and activities, and all records showing which Facebook users have been blocked by the account;
- (m) All records pertaining to communications between Facebook and any person regarding the user or the account and user ID, including contacts with support services and records of actions taken.
- (n) Any and all cookies associated with or used by any computer or web browser associated with the account, including the IP addresses, dates, and times associated with the recognition of any such cookie;
- (o) All records of Facebook searches performed by the account;

- (p) All activity logs for the account and all other documents showing the user's posts and other Facebook activities;
- (q) All photos and videos uploaded by that account and user ID and all photos and videos uploaded by any user that have that user tagged in them, including Exchangeable Image File ("EXIF") data and any other metadata associated with those photos and videos;
- (r) All location data associated with the account created, uploaded, or shared by the account;
- (s) All other records and contents of communications and messages made or received by the user, including all Messenger activity, private messages, chat history, video and voice calling history, and pending "Friend" requests.

Facebook is hereby ordered to disclose the above information to the United States within 14 days of the date of this warrant.

II. Information to be seized by the United States

All information described above in Section I that constitutes fruits, evidence and instrumentalities of violations of 18 U.S.C. § 922(g)(1) (felon in possession of a firearm) and 18 U.S.C. § 922(g)(3) (user in possession of a firearm) involving Robert SIMMONS, from : https://www.facebook.com/profile.php?id=100032343791936&sk=about_overview, from August 25, 2020, to March 13, 2021, including, for each account or user ID identified on Attachment A, information pertaining to the following matters:

- (a) All information described above in Section I that constitutes fruits, evidence and instrumentalities of violations of 18 U.S.C. § 922(g)(1) (felon in possession of a

firearm) and 18 U.S.C. § 922(g)(3) (user in possession of a firearm) involving Robert SIMMONS, from:

https://www.facebook.com/profile.php?id=100032343791936&sk=about_overview, from August 25, 2020, to March 13, 2021, including, for each account or user ID identified on Attachment A, information pertaining to the following matters:

- (b) Evidence indicating how and when the Facebook account was accessed or used, to determine the chronological and geographic context of account access, use, and events relating to the crime under investigation and to the Facebook account owner;
- (c) Evidence indicating the Facebook account owner's state of mind as it relates to the crime under investigation;
- (d) The identity of the person(s) who created or used the account(s) or user ID, including records that help reveal the whereabouts of such person(s).

This warrant authorizes a review of electronically stored information, communications, other records and information disclosed pursuant to this warrant in order to locate evidence, fruits, and instrumentalities described in this warrant. The review of this electronic data may be conducted by any government personnel assisting in the investigation, who may include, in addition to law enforcement officers and agents, analysts, attorneys for the government, attorney support staff, and technical experts. Pursuant to this warrant, the investigative agents may deliver a complete copy of the disclosed electronic data to the custody and control of attorneys for the government and their support staff for their independent review.

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC RECORDS PURSUANT TO
FEDERAL RULES OF EVIDENCE 902(11) AND 902(13)**

I, _____, attest, under penalties of perjury by the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this certification is true and correct. I am employed by Facebook, and my title is _____. I am qualified to authenticate the records attached hereto because I am familiar with how the records were created, managed, stored, and retrieved. I state that the records attached hereto are true duplicates of the original records in the custody of Facebook. The attached records consist of _____ **[GENERALLY DESCRIBE RECORDS (pages/CDs/megabytes)]**. I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth by, or from information transmitted by, a person with knowledge of those matters, they were kept in the ordinary course of the regularly conducted business activity of Facebook, and they were made by Facebook as a regular practice; and

b. such records were generated by Facebook's electronic process or system that produces an accurate result, to wit:

1. the records were copied from electronic device(s), storage medium(s), or file(s) in the custody of Facebook in a manner to ensure that they are true duplicates of the original records; and

2. the process or system is regularly verified by Facebook, and at all times pertinent to the records certified here the process and system functioned properly and normally.

I further state that this certification is intended to satisfy Rules 902(11) and 902(13) of the Federal Rules of Evidence.

Date

Signature